



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krivitski & Drost Atty. Docket: 86017.000010
Serial No.: 09/419,849 Examiner:
Filed: October 19, 1999 Art Unit:
Title: METHOD AND APPARATUS TO MEASURE BLOOD FLOW BY AN
INTRODUCED VOLUME CHANGE

Petition to Make Special Under 37 CFR §1.102(d)

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This is a petition to make special the above-identified patent application. The grounds in condition for granting this application special status is found in MPEP 708.02 II entitled Infringement.

The petition fee pursuant to 37 CFR §1.17(i) is enclosed.

As provided for in MPEP 708.02 II, applicant agrees to the special examining procedure detailed therein.

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I hereby certify that this correspondence is being deposited with the United States Postal Service via Express Mail No. EL769252970US in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on February 5, 2001.

Michele Hamby
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In support of this petition, applicant submits the declarations of Cornelis J. Drost,


- (a) that there is an infringing device or product actually on the market or method in use;
- (b) that he has a good knowledge of the pertinent prior art.

Also accompanying this petition is a declaration by Brian B. Shaw that a rigid comparison of the alleged infringing device, product or method with the claims of the application has been made and that in his opinion, some of the claims are unquestionably infringed.

In addition, each of the references has been forwarded to the Patent Office in Information Disclosure Statements.

Accordingly, applicant request this Petition to Make Special be granted and the application undergo accelerated examination.

Respectfully submitted,



Brian B. Shaw, Registration No. 33,782
HARTER, SECREST & EMERY LLP
700 Midtown Tower
Rochester, New York 14604

Dated: February 5, 2001